

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA

RODNEY RAMSEY and LORI RAMSEY, §  
§  
Plaintiffs, §  
§  
vs. § **CASE NO. CIV-13-780-D**  
§  
STATE FARM FIRE AND CASUALTY §  
COMPANY, §  
§  
Defendant. § **JURY DEMANDED**

**DEFENDANT STATE FARM FIRE AND CASUALTY COMPANY'S  
NOTICE OF REMOVAL**

TO THE HONORABLE JUDGE OF THE UNITED STATES DISTRICT COURT:

PLEASE TAKE NOTICE that Defendant, State Farm Fire and Casualty Company (“State Farm”), hereby files its Notice of Removal (“Notice”). In support hereof, State Farm would respectfully show the Court as follows:

**TIMELINESS OF REMOVAL**

1. On or about July 15, 2013, Plaintiffs (herein so called) filed their Original Petition (“Complaint”) in the matter entitled *Rodney Ramsey and Lori Ramsey v. State Farm Fire and Casualty Company*, in the District Court in and for Oklahoma County, State of Oklahoma. A copy of the Complaint is attached as Exhibit “1” hereto, incorporated herein, and made a part hereof for all purposes.

2. The Complaint was served upon State Farm on or about July 19, 2013.

Attached hereto as Exhibit "2" is a true and correct copy of the Summons served upon State Farm.

3. As reflected in Plaintiffs' Complaint, the amount in controversy in this case is in excess of \$75,000, thereby allowing State Farm to remove the case. See Exhibit 1. Since State Farm's Notice was filed within thirty days after receipt of Plaintiffs' Complaint, this Notice is timely.

**NATURE OF THE SUIT**

4. This lawsuit involves a dispute over State Farm's alleged failure to pay insurance benefits to Plaintiffs pursuant to a claim for wind and hail damage to a dwelling owned by Plaintiffs. Exhibit 1. Plaintiffs allege that State Farm breached its insurance contract with Plaintiffs, violated the duty of good faith and fair dealing, and committed fraud. State Farm now removes this case, showing that this Court has original jurisdiction over the matters made the basis of this lawsuit pursuant to 28 U.S.C. § 1332.

5. At the time the Plaintiffs filed their Complaint, at the time of removal and at all intervening times, State Farm is and was a corporation organized in Illinois, with its principal place of business in Bloomington, McLean County, Illinois. Upon information and belief, the Plaintiffs were and are citizens of Oklahoma County, Oklahoma, where they reside.

6. Additionally, State Farm files contemporaneously herewith all pleadings or other documents on file in the State Court matter that are not previously marked as an Exhibit, including a copy of the state court's Docket Sheet, attached hereto as Exhibit "3."

WHEREFORE, PREMISES CONSIDERED, Defendant State Farm Fire and Casualty Company, pursuant to and in conformity with the requirements set forth in 28 U.S.C. § 1446, removes Case No. CJ-2013-3961 in the District Court of Oklahoma County, State of Oklahoma, *Rodney Ramsey and Lori Ramsey v. State Farm Fire and Casualty Company*, on this the 26th day of July, 2013.

Respectfully submitted,

By /s/Holly D. Shull

David V. Jones, OBA #19611

Holly D. Shull, OBA #20954

21 E. Main St., Suite 101

Oklahoma City, Oklahoma 73104-2400

Telephone: 405/601-8713

Facsimile: 405/232-8330

**ATTORNEYS FOR DEFENDANT  
STATE FARM FIRE AND CASUALTY  
COMPANY**

**OF COUNSEL:**

**JONES, ANDREWS & ORTIZ, P.C.**

**CERTIFICATE OF SERVICE**

I hereby certify that on this the 26th day of July, 2013, I electronically transmitted the attached document to the Clerk of the Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrant:

Steven S. Mansell  
Mark A. Engel  
Kenneth G. Cole  
MANSELL ENGEL & COLE  
101 Park Avenue, Suite 665  
Oklahoma City, OK 73102

/s/Holly D. Shull  
Holly D. Shull